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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,049	07/07/2003	Warren Keith Edwards	PARC-DA2079	9791
22835 7590 05/25/2007 PARK, VAUGHAN & FLEMING LLP 2820 FIFTH STREET DAVIS, CA 95618-7759			EXAMINER ISMAIL, SHAWKI SAIF	
			ART UNIT 2155	PAPER NUMBER
			MAIL DATE 05/25/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/616,049	Applicant(s) EDWARDS ET AL.	
	Examiner Shawki S. Ismail	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

RESPONSE TO AMENDMENT

1. This communication is responsive to the amendment received on March 13, 2007.

Claims 1, 11, 21, and 31 have been amended.

Claims 1-32 are pending.

The Previous Rejection Maintained

2. The rejection is respectfully maintained as set forth in the last Office Action mailed on October 15, 2006. Applicants' arguments with respect to claims 1-32 have been fully considered but they are not persuasive and the previous rejection is maintained

Claim Rejections - 35 USC §102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1-32, are rejected under 35 U.S.C. 102(e) as being anticipated by

Mooney et al U.S. Patent No. 7,127,209.

5. As to claim 1, Mooney teaches a method that facilitates dynamic delivery of service profiles to a client, comprising:

performing a discovery operation to allow the client to discover new services on a network (col. 6, lines 35-51, client on first communication device initiates a service discovery protocol in the Bluetooth device with other communication devices located in the vicinity to discover new service on the communication devices);

if a new service is discovered for which the client does not possess a service profile, wherein the service profile specifies how to use the new service (col. 6, lines 35-51, all service that are contained on the nearby communication devices are detected),

causing the client to obtain the service profile from the new service; and causing the service profile to be installed on the client to enable the client to use the new service (col. 6, lines 35-51, the service records for all service that are contained on the nearby communication devices are transmitted to the client device).

6. As to claim 2, Mooney teaches the method of claim 1, wherein causing the client to obtain the service profile involves: causing the client to send a request for the service profile to the new service; and causing the client to receive the service profile from the new service (col. 6, lines 35-51).

7. As to claim 3, Mooney teaches the method of claim 1, wherein the service profile includes code, and wherein causing the service profile to be installed on the client involves causing the code to be installed on the client (col. 6, lines 35-51 and col. 3, lines 1-15).

8. As to claim 4, Mooney teaches the method of claim 1, wherein the service profile includes a specification that describes how to use the new service; and wherein causing

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the service profile to be installed on the client involves, causing code to be generated to implement the specification, and causing the code to be installed on the client (col. 6, lines 35-51 and col. 3, lines 1-15).

9. As to claim 5, Mooney teaches the method of claim 1, wherein the service profile is encoded in a universal form that can be executed by different types of clients (col. 6, lines 35-51 and col. 3, lines 1-15).

10. As to claim 6, Mooney teaches the method of claim 1, wherein there exist different service profile implementations for different types of clients; and wherein causing the client to obtain the service profile involves, communicating characteristics of the client to the new service, allowing the new service to select a service profile implementation for the client based on the characteristics of the client, and allowing the new service to send the selected service profile implementation to the client (col. 6, lines 35-51 and col. 3, lines 1-15).

11. As to claim 7, Mooney teaches the method of claim 1, wherein causing the client to obtain the service profile from the new service involves executing a dynamic extension profile, which implements a standard protocol that enables the client to acquire any profile the client needs at the time the profile is needed (col. 6, lines 35-51 and col. 3, lines 1-15).

12. As to claim 8, Mooney teaches the e method of claim 1, wherein performing the discovery operation involves using the Bluetooth Service Discovery Protocol (SDP); and

wherein the client and the new service communicate using the Bluetooth networking standard (col. 6, lines 35-51 and col. 3, lines 1-15).

13. As to claim 9, Mooney teaches the method of claim 1, wherein the service profile can define a service-specific Application Programming Interface (API) (col. 6, lines 35-51 and col. 3, lines 1-15).

14. As to claim 10, Mooney teaches the method of claim 1, wherein the service profile implements a domain-specific protocol stack associated with the new service (col. 6, lines 35-51 and col. 3, lines 1-15).

15. Claims 11-32 do not teach or further define any limitations above claims 1-10, therefore, they are rejected for similar reasons

16. EXAMINER NOTE: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Response to Arguments

Applicants' arguments with have been fully considered, however, they are not persuasive. Applicant argues in substance that:

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Mooney does not teach a service profile that specifies how to use a service.

In response to applicant's arguments that the reference does not teach features of the claimed limitation, the applicant is reminded that the claims are given the broadest reasonable interpretation. The claim merely recites a service profile that specifies how to use a service. The claim does not go into the specifics or the details of how the service profile specifies how to use a service, contrary to applicant's arguments made in the remarks on page 10. Mooney teaches generating and communicating of service records, which identifies modem-based services that a communication device offers to other communication devices. The services identified in the service record can include modem-based services (i.e., services that utilize a modem), such as a Dial-up Networking Gateway service, a fax service, etc., and non-modem based services such as a LAN (Local Area Network) access service, a synchronization service, a file transfer service, etc. The service record does indeed specify how to use the service for example modem based service is for communicating over the Internet, for faxing etc. Therefore, Mooney teaches a service record (service profile) that specifies how to use a service and meets the scope of the claimed limitation.

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail
Patent Examiner
May 21, 2007



SALEH NAJJAR
PATENT EXAMINER